

**Office of Public Instruction
2003 Legislative Session**

These bills are at the request of OPI.

Bill Number <i>(Click for more information)</i>	Sponsor	Short Title and Brief Description
<u>HB 73</u>	Rep. Raser	<p>K-12 BASE aid increases This proposal ties the increases in the basic and per-ANB entitlements to projected increases in the cost of school services. Given that salaries and benefits represent 75 percent of school district general fund expenditures, an inflation index tied to the labor market appears to be the best proxy for growth in the cost of school services. DRI-WEFA (March 2002) projects that the Employment Cost Index for compensation will increase by 3.7 percent in 2002 and 3.2 percent annually in 2003, 2004 and 2005.</p> <p>This proposal requests an increase in the basic and per-ANB entitlements of 3.7 percent in FY04 and 3.2 percent in FY05. The cost of this proposal is \$17.9 million in FY04 and by \$32.2 million in FY05. Biennial Cost: \$50,100,000 general fund</p> <p>SUPERINTENDENT'S TESTIMONY – February 7, 2003 SUPERINTENDENT'S TESTIMONY – February 19, 2003</p>
<u>HB 78</u>	Rep. Branae	<p>Trustees to determine conduct of school on Saturdays in emergency Current law prohibits the conduct of school on Saturday or Sunday except in emergencies. In emergencies, pupil instruction may be conducted on Saturday when it is approved by the superintendent of public instruction in accordance with policies adopted by the board of public education. The proposed legislation would remove the State Superintendent from the approval process and allow the school board to approve pupil instruction on Saturday in an emergency. Biennial Cost: \$0</p>
<u>HB 103</u>	Rep. Jacobson	<p>Revise pupil transportation funding formula This request is to reintroduce (and fund) HB 163 from the 2001 legislative session. The proposed legislation greatly simplifies a very complex pupil transportation reimbursement system while making the state funding more equitable for school districts. The proposal</p>

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		<p>bases the state/county bus mileage reimbursement rate on the size of the bus and increases the "base" mileage rate to \$0.95 for buses. It also repeals the November high school ridership count and increases state aid to schools for pupil transportation by \$1,700,000 annually, which will be equally matched by county payments. Schools currently use local tax levies to fund approximately 50% of their transportation costs. State and counties each pay about 25% of the total cost.</p> <p>Biennial Cost: \$3,400,000 general fund</p>
<u>HB 153</u>	Rep. Ballantyne	<p>Revise child advocate requirements for special education</p> <p>Current law provides that if a child's parents cannot be located, a local school district must appoint a person to represent the child in all decision-making processes concerning the child's special education. The person called upon to be the child's advocate "must be an adult who is not an employee of a state or local educational agency." This proposal would allow a person employed by another school district to act as the advocate. The language would be amended to provide: Mont. Code Ann. §20-7-461(2) "The person nominated as a surrogate parent must be an adult who is not an employee of a <u>the</u> state or <u>the</u> local educational agency."</p> <p>Biennial Cost: \$0</p>
<u>HB 193</u>	Rep. Braene	<p>Payment to school district for each certified FTE</p> <p>This proposal is to provide a payment of \$1,000 per certified FTE to each school district. In FY 2001, school districts reported 12,097 FTE certified staff. The cost of this proposal is estimated to be \$12,100,000 annually.</p> <p>The benefit of this proposal is that it would:</p> <ul style="list-style-type: none"> assist school districts with recruiting and retaining teachers, allow school districts to provide enhanced professional development opportunities, and cushion the impact of declining enrollment by providing funding based on the number of teachers. <p>Biennial Cost: \$24,200,000 general fund</p> <p>SUPERINTENDENT'S TESTIMONY – February 10, 2003 SUPERINTENDENT'S TESTIMONY – February 19, 2003</p>
<u>SB 76</u>	Sen. Schmidt	<p>Revise statutes to conform to federal IDEA</p> <p>Congress is in the process of reauthorizing the Individuals with Disabilities Education Act (IDEA). Based on progress to date, it is probable that a new IDEA will be signed into law</p>

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		<p>by January or February of 2003. It is anticipated that this reauthorization will bring a variety of changes to this significant federal education law. Anticipated changes in IDEA include: expanded opportunities for early intervention, changes to criteria for determining disabilities, the imposition of sanctions on school districts not showing adequate yearly progress in programs that serve students with disabilities, and a number of other areas. Montana statutes rely heavily on the language of IDEA by both reference and quotation. This proposal is intended to ensure that state statute is modified to ensure consistency between Montana's statutory requirements and federal law.</p> <p>Biennial Cost: \$0</p>
<u>SB 81</u>	Sen. Cooney	<p>Honorary diplomas for certain veterans</p> <p>This proposal would allow the Superintendent of Public Instruction to award diplomas to veterans living in Montana, who served during the period of August 1940 to July 1947, and were honorably discharged or died in active service or were released from active duty because of a service-related disability. Under this proposal, a family member would be allowed to apply on behalf of a veteran who is deceased or incapacitated.</p> <p>Biennial Cost: \$0</p> <p>SUPERINTENDENT'S TESTIMONY - January 13, 2003</p>
<u>SB 92</u>	Sen. Ryan	<p>Three year averaging of ANB</p> <p>This proposal is to allow schools with declining enrollment to calculate ANB using an enrollment average for the 3 previous school years. For schools with steadily growing enrollment, the ANB would be calculated using the previous year's enrollment count. This proposal is estimated to cost the state \$12.5 million annually. The local share is estimated at \$3.5 million annually.</p> <p>Biennial Cost: \$25,000,000 general fund</p>
<u>SB 97</u>	Sen. Story	<p>Require submission of revenue amounts for retirement and transportation</p> <p>The Office of Public Instruction does not currently collect budget reports from counties for the county transportation and retirement funds. County superintendents only report mill levies to OPI for these funds. The proposal is to require county superintendents to provide the OPI with a budget report which includes details on the adopted budget, operating reserves, budgeted revenues by revenue source, and fund balance reappropriated. Given that the OPI distributes over \$30 million in state guaranteed tax base aid and transportation reimbursements to these two funds, it is appropriate to collect the budget detail for these funds. This budget data is also important for the analysis of proposals</p>

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		affecting HB 124 block grants and other non-levy revenue sources. Biennial Cost: \$0
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**Office of Public Instruction Joint Appropriations Subcommittee on Education
State- Level Program 06 and Local-Level 09**

HB 2 – Appropriation requests

Special education funding increases

Stipends for National Board Certification

Funding for Statewide Student Assessment

Funding to implement Indian Education for All

No Child Left Behind and other federal programs – spending authority

SUPERINTENDENT'S TESTIMONY – State-Level Remarks

SUPERINTENDENT'S TESTIMONY – Local-Level Remarks

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